

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CARLA J. SCHREIBER, )  
                        )  
Plaintiff,           )                           8:05CV537  
vs.                    )  
                        )  
STATE OF NEBRASKA and )  
NEBRASKA STATE PATROL, )  
                        )  
Defendants.          )

This matter is before the court on plaintiff's Motion [142] to quash a subpoena served on the NEOC for the production of five microcassette tapes of recorded conversations between plaintiff and officials of the Nebraska State Patrol. Apparently, during discovery, the parties believed the tapes no longer existed. The tapes were recently discovered in the files of the NEOC.

The court acknowledges that discovery has closed; however, in their response [150], the defendants have shown good cause for issuing the subpoena in question. Nor does it appear that the plaintiff will be unfairly prejudiced if this limited discovery is allowed.

**IT IS ORDERED** that plaintiff's Motion to Quash [142] is denied.

**DATED February 6, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**